

## Chief Executive's Office

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Date: 24 October 2005

**Chorley**  
Borough Council

Town Hall  
Market Street  
Chorley  
Lancashire  
PR7 1DP

**Chief Executive:**  
Jeffrey W Davies MA LLM

Dear Councillor

A meeting of the Statutory Licensing Sub-Committee A is to be held in the Council Chamber, Town Hall, Chorley on Wednesday, 9th November, 2005 commencing at 2.00 pm.

### AGENDA

1. **Declarations of Any Interests**

Members of the Sub-Committee are reminded of their responsibility to declare any personal interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct. If the personal interest is a prejudicial interest, then the individual Member should not participate in a discussion on the matter and must withdraw from the Council Chamber and not seek to influence a decision on the matter.

2. **Licensing Act 2003 (Premises and Club Premises Certificates) Regulations 2003 - Application to vary premises license in respect of The Windmill, 311 The Green, Eccleston (Pages 1 - 60)**

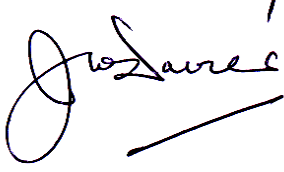
Report of Director of Legal Services (enclosed)

Attached for Members information is the Hearing Procedure

3. **Any other item(s) that the Chair decides is/are urgent**

Continued....

Yours sincerely



Chief Executive

**Distribution**

1. Agenda and reports to all Members of the Statutory Licensing Sub-Committee A (Councillor R Snape (Chair), Councillors Mrs Smith and T Gray) for attendance.
2. Agenda and reports to Councillor David Dickinson (Reserve Member) to be present at the start of the meeting.
3. Agenda and reports to Director of Legal Services and Licensing Manager for attendance.
4. Agenda and reports to Deputy Leader (Councillor Edgerley) and Leader of Conservative Group (Councillor P Goldsworthy) for information.
5. Agenda to all remaining Chief Officers for information.
6. Agenda to all remaining Members of the Council for information.

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپ کی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون

01257 515823

کیجئے:

**CHORLEY BOROUGH COUNCIL****LICENSING ACT 2003****SUB-COMMITTEE****GENERAL PROCEDURE POINTS FOR HEARINGS****INTRODUCTION**

The Licensing Act 2003 Sub-Committee will conduct hearings in accordance with the following general principles:

- All parties have a right to a fair hearing.
- Decision-making will be conducted in an open, transparent and accountable way.
- Each application will be determined on its own merits and the decision will be based upon:
  - the merits of the application
  - the promotion of the four licensing objectives
  - the Council's Statement of Licensing Policy
  - the Guidance issued by the Secretary of State for Culture, Media and Sport under Section 182 of the Licensing Act 2003
- the Licensing Authority will only permit licensing decisions to be taken by sub-committee consisting of three members. In the event of one member being unable to attend, the Licensing authority will use its best endeavours to substitute another member, taken from the membership of the Licensing Act 2003 Sub-Committee reserve list.
- the Sub-Committee may disallow cross-examination in exceptional circumstances; this decision will be taken on a case by case basis with a presumption to allow. However, parties are advised that the Sub-Committee wishes to discourage hostile cross examination.
- late representations and evidence will usually only be considered with the agreement of all parties present.
- decisions will generally be taken regardless of whether the applicant/other party is present unless the Sub-Committee consider it necessary in the public interest to adjourn the hearing to a specified date. All notices and representations from absent parties will be considered.
- the Sub-Committee will generally allow parties a maximum of 30 minutes per party to make all relevant Statements. However, the Sub-Committee recognises that in certain circumstances this may be insufficient due to the complexity of the issues involved. In this situation the Sub-Committee will consider representations from those parties involved in the hearing as to the length required to make all relevant statements. The Licensing Authority respectfully requests that all parties keep points pertinent and the discussion moving in the interests of cost and efficiency.

- the Sub-Committee recognises that Regulation 14 requires all hearings should take place in public unless the licensing authority “considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing taking place in public” in which the applicant, those assisting the applicant or other interested parties can be excluded. In the absence of any criteria in the Licensing Act 2003, the guidance issued under section 182 of the Act or the licensing Regulations, the Licensing Authority has adopted the existing criteria in Schedule 12A of the Local Government Act 1972 for excluding the press and public. The public and press will be excluded when the Sub-Committee is considering an application for a personal licence, where Lancashire Police have lodged an objection notice due to an existing relevant offence(s). Generally, the public and the applicant will be excluded when the Sub-Committee is determining a decision. Once a decision has been made all parties will be readmitted and the Chair will announce the decision and give reasons.
- all parties will be notified of the decision in accordance with any periods set down by the Licensing Act 2003 or where none are prescribed within 5 working days.
- the Sub-Committee has the right to exclude any parties behaving in a disruptive manner at the hearing at its own discretion.

## HEARING PROCEDURE

### PREMISES/CLUB PREMISES LICENCE APPLICATIONS

**1. CHAIR OF SUB-COMMITTEE:**

- opens meeting
- introduces Members and Officers
- confirms details of all parties in attendance
- outlines procedure to be followed

**2. LICENSING OFFICER OUTLINES APPLICATION AND RELEVANT REPRESENTATIONS**

**3. QUESTIONS TO LICENSING OFFICER FOR CLARIFICATION FROM:**

- Sub-Committee
- Applicant

**4. APPLICANT OR REPRESENTATIVE OUTLINES APPLICATION**

**5. QUESTIONS TO APPLICANT FROM:**

- Sub-Committee
- Interested Representative

**6. LANCASHIRE POLICE REPRESENTATIONS**

**7. QUESTIONS TO LANCASHIRE POLICE FROM:**

- Sub-Committee
- Applicant

**8. LANCASHIRE FIRE & RESCUE REPRESENTATIONS**

**9. QUESTIONS TO LANCASHIRE FIRE & RESCUE FROM:**

- Sub-Committee
- Applicant

**10. ENVIRONMENTAL HEALTH (ENVIRONMENT) REPRESENTATIONS**

**11. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:**

- Sub-Committee
- Applicant

**12. ENVIRONMENTAL HEALTH (HEALTH & SAFETY) REPRESENTATIONS**

**13. QUESTIONS TO ENVIRONMENTAL HEALTH FROM:**

- Sub-Committee
- Applicant

**14. PLANNING SERVICES REPRESENTATIONS****15. QUESTIONS TO PLANNING SERVICES FROM:**

- Sub-Committee
- Applicant

**16. SOCIAL SERVICES REPRESENTATIONS****17. QUESTIONS TO SOCIAL SERVICES FROM:**

- Sub-Committee
- Applicant

**18. TRADING STANDARD REPRESENTATIONS****19. QUESTIONS TO TRADING STANDARDS FROM:**

- Sub-Committee
- Applicant

**20. INTERESTED PARTIES REPRESENTATIONS****21. QUESTIONS TO INTERESTED PARTIES FROM:**

- Sub-Committee
- Applicant

**22. INTERESTED PARTIES INVITED TO BRIEFLY SUMMARISE****23. RESPONSIBLE AUTHORITIES INVITED TO BRIEFLY SUMMARISE****24. APPLICANT (OR REPRESENTATIVE) INVITED TO SUM UP****25. DECISION MAKING**

All parties retire whilst Sub-Committee makes decision.

**26. NOTICE OF DECISION**

Parties re-admitted and Chair announces decision and reasons.

Report of	Meeting	Date
Director of Legal Services	Statutory Licensing Sub-Committee	9 November 2005

## APPLICATION TO VARY PREMISES LICENCE IN RESPECT OF THE WINDMILL 311 THE GREEN ECCLESTON CHORLEY

### PURPOSE OF REPORT

- For members to determine an application for the vary a premises licence.

### CORPORATE PRIORITIES

- There are no specific implications for corporate policies arising from this report.

### RISK ISSUES

- The issue raised and recommendations made in this report involve risk considerations in the following categories:

Strategy		Information	
Reputation		Regulatory/Legal	✓
Financial		Operational	
People		Other	

- There is a right of appeal to the Magistrates Court by the applicant in respect of a decision to refuse to vary the premises licence or where the conditions of licence are modified. There is also the right of appeal to the Magistrates Court by a person who has made relevant representations against a decision to grant the variation or to modify the conditions of licence.

### CURRENT PREMISES LICENCE

- The premises licence was converted under the grandfather provisions. The current licensable activities are as follows:

Supply of alcohol by retail on and off the premises

Monday – Saturday	11.00 – 23.00
Sunday and Good Friday	12.00 – 22.30
Christmas Day	12.00 – 15.00 and 1900 – 22.30

New Years Eve 11:00 – New Years Day – terminal hour as existing

Licensing Act 1964 embedded conditions and restrictions converted.

Continued....



**THE APPLICATION**

6. A copy of the application to variation is attached to this report in full in Appendix 1. In summary the application is to conduct the following licensable activities and at the times set out below.
7. Regulated Entertainment
- i) Live music – Indoors and Outdoors
- 19.00 – 22.00 Monday – Thursday  
 17.00 – 00.00 Friday  
 12.00 - 00.00 Saturday and Sunday
- Unamplified two people playing guitars on an ad hoc basis
- Outdoor performances only in good weather
- Non-Standard timings
- None
- ii) Recorded music - Indoors
- 09.00 – 01.00 Monday – Sunday
- Jukebox and additional speakers
- Non-Standard timings
- None
8. Supply of alcohol
- 09.00 – 01.00 Monday - Sunday
- Non Standard Timings
- New Years Eve as de-regulated
9. Hours Premises are open to the public
- 09.00 – 01.30 Monday – Sunday
- Non Standard Timings
- New Years Eve as currently deregulated
10. **ADDITIONAL STEPS TO BE TAKEN TO PROMOTE LICENSING OBJECTIVES**
- The applicant has indicated that following additional steps will be taken to promote the licensing objectives:
- i) Prevention of crime and disorder
- There is an informal arrangement with other licensees in the area to warn of trouble. If necessary the police are called.



A neighbourhood watch scheme is being considered.

ii) Public Safety

There is a wide path and safety rail between the door and road. Sight lines for the car park are good and everything is fully signposted.

iii) The Prevention of public nuisance

People under the influence of alcohol or drugs will not be served.

The Jukebox is in place already with no complaints.

It is not anticipated that noise levels will increase.

With longer hours people will leave at different times.

v) The protection of children from harm

Children will not be allowed in the pub without an adult and will not be allowed at the bar.

11. Other Activities that may give rise to concern in respect of children

None

12. Conditions/ Restrictions to be removed on variation.

Removal of 1964 Licensing Act permitted hours.

13. Relevant Representations – Responsible Authorities

There has been a relevant representation received to the application to vary from the Police. The objection is relevant to the Licensing Objective –

Prevention of Public nuisance.

A copy of the representation in full is attached to this report in Appendix 2.

14. Relevant Representations – Interested Parties.

There are eight representations from interested parties. The objections are relevant to the following Licensing Objectives –

Prevention of Public Nuisance

Prevention of Crime and Disorder

Public Safety

Protection of Children from Harm

15. Policy Considerations.

Section 4 of the Licensing Act 2003 provides that a Licensing Authority must have regard to its Statement of Licensing Policy and to the guidance issued by the Secretary of State under section 182 of the Act.

As members will be aware the four licensing objectives are as follows:

- the prevention of crime and disorder
- public safety
- prevention of public nuisance
- the protection of children from harm.

The Licensing Act 2003 provides that where relevant representations are received the Licensing Authority must hold a hearing to consider them unless the parties agree that a hearing is unnecessary.

The Licensing Authority in determining the application, having have regard to the representations, may take the following steps it considers it necessary for the promotion of the licensing objectives.

- i) reject the application in whole or in part
- ii) modify the conditions.

Members must have regard to the Statement of Licensing Policy when determining this application. In particular, member's attention is drawn to the following paragraphs:

Paragraph 1.3 The policy provides guidance on the general approach the Council, as Licensing Authority, within the meaning of the Act, will take in terms of licensing, However, each application will be considered separately, on its individual merits.

Paragraph 1.4. The Statement of Licensing Policy sets out how the licensing objectives will be achieved and to secure the safety and amenity of residential communities whilst facilitating a sustainable entertainment and cultural industry. The Policy recognises both the needs of residents for a safe and healthy environment in which to live and work and the importance of safe and well run entertainment premises to the local economy. Balancing these interests will not always be straightforward and will be guided by the four licensing objectives.

Paragraph 1.5 This policy does not seek to undermine the right of any individual to apply under the Act for a variety of permissions and as stated above each application will be considered on its individual merits. Nor does the Policy seek to override the right of a person to make representations on an application or seek a review of a licence or certificate. However, the Council in adopting this policy is indicating that a wide range of considerations will be taken into account.

Paragraph 2.2 Each of the licensing objectives are of equal importance with these objectives.

Paragraph 2.3 Each of the licensing objectives is of equal importance for the purposes of this policy.

Paragraph 2.4 This policy statement is designed to deal with matters within the control of the licensee. It focuses on the premises in which each business is carried on and the effect that has on members of the public living, working or engaged in normal activity in the vicinity.

Paragraph 2.5 Licensing law is not envisaged by the Licensing Authority as a mechanism to control anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. Therefore any terms and conditions imposed will be focused on matters within the control of individual Licensees and others granted relevant permissions. These matters will centre on the premises and places used for licensable activities and in the vicinity of the places.

Paragraph 2.6 The Licensing Authority considers that every holder of a licence, certificate or permission and designated premises supervisor is responsible for minimising the impact of their activities and anti-social behaviour by their customers within the vicinity of their premises.

Paragraph 5.3 The policy will not fix the hours during which alcohol can be sold. The Licensing Authority considers that stricter controls regarding noise nuisance may be necessary in more densely populated areas. The grant of a licence will be dependent on the impact of an activity on the licensing objectives.

## **CRIME AND DISORDER**

Paragraph 6.1 Licensed premises, especially those offering late night entertainment, alcohol and refreshment can be a source of crime and disorder problems.

Paragraph 6.2 The Council is committed to reducing crime and disorder across the Borough through its statutory duty under the Crime and Disorder Act 1998 and the Community Safety Strategy. Statistics from the Community Safety Partnership regarding Crime and Disorder in the Licensing Authority area are given in Appendix 4.

Paragraph 6.3 The Community Safety Partnership will regularly monitor and review crime statistics within the Borough and their association with alcohol and provide reports to the Licensing Authority where appropriate. The Licensing Authority will give due consideration to any submissions made concerning the impact on crime and disorder of alcohol related problems. The Council may review this Policy where it considers it appropriate to do so.

Paragraph 6.4 The Council will have particular regard to the likely impact on licensing of related crime and disorder in the Borough particularly when considering the location, impact and the operation and management of all proposed licensed premises and applications for variations.

Paragraph 6.5 The promotion of the crime and disorder-licensing objective, places a responsibility on licence holders to try and achieve this objective. Applicants will therefore be required to address, in their operating schedules, where appropriate, those measures that have been identified and will be implemented and/ or maintained to reduce or prevent crime and disorder in the vicinity of their premises. The Licensing Authority considers that best practice will be exemplified by the night safe initiative and would recommend that licence holders join this initiative.

Paragraph 6.6 Where relevant representations are received on the crime and disorder objective, the Licensing Authority may have regard to the following where relevant: (though this is not an exhaustive list) :

- crime prevention measures
- physical security features installed in the premises, (this may include CCTV both inside and outside the premises, where alcohol is stored in relation to off licences, the use of toughened drinking glasses).
- weapon detection and search facilities.
- procedures for risk assessing promotions and events such as 'happy hours', drinks promotions, for the potential to cause crime and disorder, and the plans to minimising such risks.
- adoption of best practice guidance in relation to safer clubbing guide
- measures to prevent the use or supply of illegal drugs including search and entry policies
- employment of licensed door supervisors
- participation in other appropriate schemes e.g. pub watch scheme
- measures to be taken for the prevention of violence or disorder.

Paragraph 6.7 The Licensing Authority where relevant representations are made, will consider attaching conditions to deter and prevent crime and disorder, if appropriate and necessary and these may include conditions from the model pool of conditions at Appendix 3. Certain premises may be required to install CCTV system to an evidential standard should the Council be satisfied it is necessary and /or appropriate to meet the licensing objectives.

Paragraph 6.8 The Council reserves its right to use its powers to designate areas where alcohol may not be consumed in a public place to meet the Public Safety and Crime and Disorder objectives.

### **LICENSING HOURS**

Paragraph 7.1 The policy recognises that longer (more flexible) licensing hours can contribute to easing crime and disorder problems by ensuring that concentrations of customers leaving premises simultaneously are avoided thus helping to reduce friction at taxi ranks, private hire offices, fast food outlets etc.

Paragraph 7.2 Individual applications will be considered on their merits and in general terms a flexible approach will be adopted. Fixed predetermined closing times for particular areas will not form part of the policy and restrictions on trading hours will be considered only where necessary to meet the licensing objectives.

Paragraph 7.3 The Licensing Authority, however, considers that the risk to disturbance to local residents is greater when licensable activities continue late at night and into the early hours of the morning as the ambient noise levels will be lower. The Licensing Authority may impose stricter conditions with regard to noise control in areas, which have denser residential accommodation, but each premise will be considered on its individual merits.

Paragraph 7.5 The Licensing Authority also recognises the principle of 24 hour opening of all licensed premises. However, it considers that longer opening hours may be more acceptable in commercial areas with high levels of public transport. The grant of a licence will in all cases be dependent on the impact of an activity in relation to the licensing objectives.

Paragraph 7.6 Where relevant representations are received, the Licensing Authority may have regard to the following where relevant (though this is a non exhaustive list);

- the nature of the area where the premises are located (e.g. commercial, residential)
- arrangements to ensure adequate availability of taxis and private hire vehicles, public transport.
- whether appropriate car parking is readily accessible to premises and whether the use/parking of vehicles would cause a demonstrable adverse impact on the amenity of residents.
- whether the licensable activities are likely to cause adverse impact especially on local residents and whether appropriate measures will be put in place to prevent any adverse impact
- in relation to the grant of a new premises licence whether the premises will give rise to a negative cumulative impact on one or more of the licensing objectives
  - In assessing the impact of the activity proposed the Licensing Authority may consider a number of factors inter alia,
- the type and scale of activity, the number and nature of clientele likely to attend
- the levels of noise from the premises, which may be acceptable later in the evening
- the proposed hours of operation

- the levels of public transport accessibility for customers and the likely means of public or private transport that will be used, access to private hire/taxis
- the means of access to the premises e.g. whether on principal pedestrian routes
- the level of car parking demand on surrounding residential streets and its effect on local residents, and movement of traffic
- the cumulative impact of licensed premises in an area and scope for mitigation
- frequency of the activity.

Operating Schedules to set out the measures to be taken to ensure that the licensing objectives are addressed. Applicants are also referred to paragraph 6.6

### **PROTECTION OF CHILDREN FROM HARM**

Paragraph 10.1 The policy does not seek to prevent or limit the access of children to licensed premises unless it is necessary for the prevention of physical, moral or psychological harm to them. The Licensing Authority is committed to protecting children from harm and activities associated with premises that sell alcohol or provide regulated entertainment, may in certain circumstances, give rise to concerns for the health and welfare of children. For the purpose of this Policy, a 'child' is defined as any person who is under the age of 16

Paragraph 10.2 The Licensing Authority will not impose any conditions that specifically require access of children to premises and where no limitation is imposed this should remain a matter for the individual licence holder or club premises certificate holder. The Licensing Authority will consider the individual merits of each application. However, the Licensing Authority will have particular concern in respect of children :

- where there have been convictions of the current management for serving alcohol to minors or those where there is a reputation of under age drinking.
- where there is reputation of drug taking or dealing.
- where there is a strong element of gambling on the premises.(but not for example, the simple presence of a small number of cash prize gaming machines)
- where entertainment of an adult or sexual nature is provided (see paragraph 29 for additional information).
- where the supply of alcohol is the exclusive or primary purpose of the services provided at the premises.

Paragraph 10.3 The Licensing Authority, in such circumstances as outlined above, may consider it necessary to impose a complete prohibition; it is envisaged that this would be rarely imposed. The Licensing Authority would normally be likely to impose requirements such as:

- limitations on the hours when children may be present.
- age limitations for persons under 18
- limitations or exclusions when certain activities are taking place
- requirements for accompanying adults
- limitations of access to certain parts of the premises when particular licensable activities are taking place
- provision of suitable signage
- such other conditions or restrictions as may be necessary to achieve the licensing objectives.

Paragraph 10.4 Licensees are not to provide alcohol except as provided for by the Act. The Council expects applicants to consider child access in their operating schedules and volunteer appropriate conditions where relevant. The Council recommends that the following documents should be used as evidence of age:

- Passport
- Photo Card Driving licence issued in the European Union
- Proof of Age Scheme Card (i.e. Portman Group) and schemes which carry the Proof of Age Standard Scheme logo
- Citizen Card supported by the Home Office
- Official ID Card issued by HM Forces or a European Union Country bearing a photograph and date of birth of the holder.

Paragraph 10.5 The Licensing Authority requires applicants to consider, where relevant, those factors that impact on the protection of children objective, and identify where necessary and appropriate, suitable measures to promote this objective. Applicants may wish to consider, where appropriate:

- arrangements to prevent children acquiring of consuming alcohol
- arrangements to prevent children being exposed to drugs, drug taking, or drug dealing
- arrangements to prevent children being exposed to gambling, or activities of an adult or sexual nature
- steps to be taken to prevent children being exposed to violence or disorder
- arrangements for training staff in relation to the protection of children
- steps to be taken to prevent children purchasing cigarettes from vending machines and preventing access to Amusement with Prize Machines (except in accordance with the Gaming Legislation).

Paragraph 10.6 Applicants may volunteer prohibitions and restrictions on their Operating Schedules as a result of their own risk assessments determining that the presence of children is undesirable or inappropriate. Where no relevant representations are made to the Licensing Authority these volunteered prohibitions and restrictions will become conditions attached to the licence or certificate. The Licensing Authority may impose conditions where relevant representations are made if it considers it necessary and/or appropriate including those drawn from the Model Pool of Conditions shown at in Appendix 3.

Paragraph 10.7 The Licensing Authority will also expect applicants, where relevant, to consider how they intend to provide for the supervision of children as unaccompanied customers and as performers providing regulated entertainment. Licence holders should give consideration to the welfare of children as performers in such cases. As a minimum requirement the Licensing Authority will require an adult to be nominated to be responsible for such child performers.

Paragraph 10.8 Where large numbers of unaccompanied children are to be present e.g. children's show or pantomime, conditions may be imposed, where relevant representations are received, requiring the presence of an appropriate number of adult staff to ensure public safety and protection of children from harm. The Licensing Authority requires applicants to address those matters in their operating schedules. See paragraph 12.1 for further guidance.

Paragraph 10.9 The Licensing Authority recognises Lancashire County Council Social Services Department or a future body with the relevant legislative functions of a social services department as being competent to advise on matters relating to the protection of children from harm.

## **CHILDREN AND CINEMAS**

Paragraph 11.1 Where the exhibition of films is permitted the Licensing Authority requires admission to children to be restricted in accordance with the British Board of Film Classification (BBFC) or any other body designated under section 4 of the Video Recordings Act 1984 .

Paragraph 11.2 Where it is proposed to exhibit films not classified by the BBFC, the Licensing Authority will, provided 28 days notice has been given, classify the films concerned using the guidelines published by the BBFC.

### **CHILDREN AND PUBLIC ENTERTAINMENT**

Paragraph 12.1 Where there is entertainment specifically provided for children (e.g. children's disco) the Licensing Authority would recommend as a minimum:

- an adult member of staff to be stationed in the vicinity of each of the exits, a minimum of one member of staff per 50 children or part thereof
- no standing to be permitted in any part of an auditorium during the performance
- no child unless accompanied by an adult to be permitted in the front row of any balcony.

Paragraph 12.2 Where relevant representations are made, the Licensing Authority may, if it considers it necessary and/or appropriate attach conditions to licences and permissions to prevent harm to children, these may include those drawn from the Model Pool of Conditions at Appendix 3 relating to the Protection of Children from Harm.

### **PREVENTION OF PUBLIC NUISANCE**

Paragraph 13.1 Licensed Premises have significant potential to adversely impact on communities through public nuisances arising from their operation.

Paragraph 13.2 The Licensing Authority is aware of the importance of the licensed trade to the local economy as well as in cultural and social terms. The Licensing Authority is also concerned to protect the amenity of residents and businesses in the vicinity of licensed premises. 'Vicinity' is not defined in the Act or Guidance issued by the Secretary of State. Whether or not incidents can be regarded, as 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case.

Paragraph 13.3 The Licensing Authority will interpret 'public nuisance' in its widest sense and include such matters as noise emanating from the premises, light, litter, odour and anti social behaviour where these matters impact on those living or working in an area.

Paragraph 13.4 Activities that involve public entertainment, drinking or eating, have the potential to impact adversely on their surrounding areas due to noise, litter, and odours. There is also the potential for disturbance caused by those attending licensable activities. Late at night the impact of licensed activities is likely to be more objectionable to residents living close to a licensed activity, as the ambient noise levels are often lower so noise disturbance becomes more noticeable.

Paragraph 13.5 The policy allows for later opening hours except where there will be an adverse impact on the licensing objectives. In general the Licensing Authority will expect more comprehensive measures to be proposed at late night venues and/or where there has been a history of public nuisance.

Paragraph 13.6 On receipt of relevant representations, the Licensing Authority will assess the likelihood of it causing an adverse impact, by generally considering the following factors where relevant:

- the location of the premises (in particular proximity to residential and other noise sensitive premises, e.g. hospitals, nursing homes, hospices and places of worship)
- the type of activities, the number and nature of clientele likely to attend at the time of the application

- the proposed hours of operation
- levels of public transport accessibility for customers either arriving or leaving the premises (including taxis and private hire)
- means of access to premises (whether on principal pedestrian routes)
- the level of car parking demand on any surrounding residential streets and its effect on local residents
- the cumulative impact on licensed premises in an area
- the scope for mitigating an impact i.e. CCTV, door supervisors
- the frequency of an activity
- the design and layout of the premises
- measures taken or proposed to be taken to prevent noise or vibration escaping from the premises e.g. sound proofing, air conditioning and sound limitation devices
- measures taken to prevent unreasonable disturbance by customers/staff arriving and leaving the premises, goods deliveries etc
- measures taken to lessen the impact of parking in the vicinity
- control of operating hours for all or parts of the premises (e.g. gardens, last admission times and 'wind down' periods)
- measures to be taken to prevent drunkenness on the premises
- measures to ensure collection and disposal of litter and waste outside their premises

Paragraph 13.7 The Licensing Authority when considering an application will take into account previous substantiated nuisance complaints particularly when a statutory notice has been served. Applicants may wish to have regard to the Good Practice Guide on the Control of Noise from Pubs & Clubs produced by the Institute of Acoustics and the British Beer and Pub Association.

Paragraph 13.8 On receipt of relevant representations, the Licensing Authority, where it considers it necessary and/or appropriate may attach conditions to a licence to prevent public nuisance including those drawn from the Model Pool of Conditions - see Appendix 3. In particular, it may attach a condition requiring the use of door supervisors licensed by the Security Industry Authority

Paragraph 13.9 The Licensing Authority requires Operating Schedules, where relevant to satisfactorily address the issue of public nuisance.

Paragraph 13.10 The Licensing Authority would also recommend applicants highlight local public transport links and taxi and private hire services within their premises, (including agreeing arrangements with nominated taxi and private hire firms for dropping off and collecting customers).

Paragraph 13.11 The Licensing Authority, will in accordance with the Guidance, focus on matters within the control of the individual Licence holder. The Licensing Authority accepts that the difficulty that a licence holder has in preventing anti-social behaviour by individuals once they are behind the direct control of the Licence Holder. However, the licensing objection of preventing public nuisance will not be achieved if customers from premises regularly conduct themselves in an anti-social manner to the detriment of local residents or businesses. In addition, the Council has a duty to do all it can to prevent crime and disorder in the Borough under the Crime & Disorder Act 1998.



**PUBLIC SAFETY**

Paragraph 14.1 The Licensing Authority considers that members of the public when visiting licensed premises, have a right to expect that due consideration has been given to public safety. The Licensing Authority notes that the public safety objective is concerned with the physical safety of people using premises and not with public health which is dealt with in other legislation.

Paragraph 14.2 The Licensing Authority is committed to ensuring public safety across the Borough by working in partnership with Lancashire Police, Lancashire Fire & Rescue and Licence Holders.

Paragraph 14.3 Applicants should carefully consider the safety of the premises having regard to the licensable activities that are proposed and to address in the operating schedule, where relevant, how public safety will be achieved. Such measures may include, where relevant to the premises:

- the occupancy capacity of the premises
- age, design and layout of the premises including means of escape
- nature of the licensable activities to be provided, in particular the sale and supply of alcohol
- hours of operation
- customer profile (e.g. age)
- use of special effects e.g. lasers, pyrotechnics, smoke/foam machines.

Paragraph 14.4 The Act requires a plan of the premises to be supplied with operating schedules showing prescribed information.

The Licensing Authority will take notice of a health and safety risk assessment submitted with an operating schedule.

Paragraph 14.5 All licensed premises will be risk related according to a Protocol agreed with Lancashire Fire and Rescue. Inspections will be carried out by Lancashire Fire & Rescue in accordance with the Protocol. A copy is attached at Appendix 6.

Paragraph 14.6 The Licensing Authority may inspect premises where it considers it appropriate on public safety grounds.

Paragraph 14.7 On receipt of relevant representations the Licensing Authority may, where it considers it necessary and/or appropriate, impose conditions to secure the public safety objective including those drawn from the Model Pool of Conditions attached at Appendix 3. Any conditions imposed will relate to the particular circumstances of the individual premises and will not duplicate other requirements of the law.

16. Human Rights Act Implications

The Human Rights Act 1998 makes it unlawful for a local authority to act in a way that is incompatible with the European Convention on Human Rights. The Council will have particular regard to the following convention Rights;

- Article 6 that in the determination of civil rights and obligations everyone is entitled to a fair public hearing within a reasonable time by an independent and impartial tribunal established by law;
- Article 8 that everyone has the right to respect for his home and family life;
- Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his/her possessions including for example, possession of a licence.

**ASSOCIATED PAPERS**

17 Application form and relevant representation.

ROSEMARY LYON  
DIRECTOR OF LEGAL SERVICES

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
H.Bee	5665	20/09/05	LEGREP/90412AAS

RECEIVED  
-1 SEP 2005

PRESTON ROCK  
ECCLESTON

Re. Windmill - Eccleston.

being close to the above the hour of 10-12 midnight is acceptable.

Any later would cause more unnecessary noise nuisance and drunkenness.

We have no objection to the proposed Brown Cow hours.

We feel if the Windmill got too closing people will come from the Brown Cow and other Pubs causing problems.

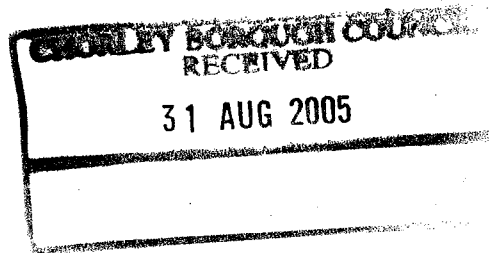
Yours faithfully

P B -h. Fisher

---

Mr and Mrs Curry  
301 The Green  
Eccleston  
Chorley  
PR7 5TJ

Mr H Bee  
Licensing Manager  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
PR7 1AL



Date: 26 August 2005

Dear Mr Bee

**Ref - The Windmill Public House, Eccleston - Extension of Licensing Hours**

With reference to the letter that we have received regarding the application for an extension of licensing hours for The Windmill public house in Eccleston.

We have lived at the above address for 30 years and over this time have noticed that the noise has steadily increased over the years at last orders. We do accept this as we live so close to two public houses, one of which is The Windmill, but, we feel that if the extension that has been applied for is granted this will mean more noise until very unsociable hours.

We do feel we would like to compromise with the application for extended opening hours and feel that it is not the time The Windmill will open but the time of last orders, and feel that a more reasonable time of perhaps 12 midnight on Friday and Saturday and maybe 11pm on Sundays. Apparently these are the hours that the other local pub has asked for - The Brown Cow - I feel that it would be in everyone's interest that lives near to these two pubs for both pubs to have the same opening hours.

I feel that the above trading hours that we have requested are reasonable and the Council should take notice of the villagers that live very close to these establishments.

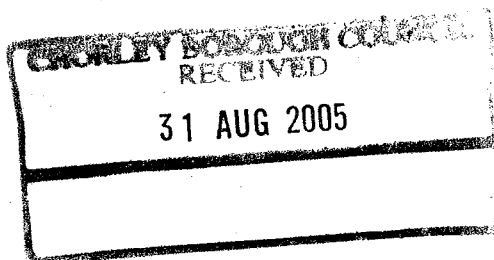
Yours sincerely

Mr and Mrs Curry

16 Enfield Close  
Eccleston  
Chorley  
PR7 5TS

27<sup>th</sup> August 2005.

Mr H Bee  
Licensing Manager  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
PR7 1AL



Dear Mr Bee

**Re: The Windmill Pub in Eccleston**  
**Application for an extension of drinking hours to 2.00 a.m.**

I am writing to express my concern over the request by The Windmill pub to extend its licensing hours to 2.00 a.m.

Eccleston is a small quiet rural village and I do not see any logic or justification in granting an extension to such an hour. Surely a 2.00 a.m license is more common place for a city centre.

I live close to The Windmill pub and I am concerned over the level of noise at a ridiculous hour of the morning. Some of us want a restful nights sleep especially with two young children.

Whilst I understand that as part of new legislation pubs have to reapply for their licenses and as such have taken the opportunity to ask for extensions in trading hours but this is a small quiet village and an extension to 2.00a.m does not fit with the community.

I believe the pub opposite, The Brown Cow, has requested their trading hours to be extended to 12.00 a.m. This seems a more acceptable time and strongly suggest that the application from The Windmill pub to increase its trading hours are kept within reasonable times and certainly do not go beyond 12.00 a.m which I feel is significantly late enough for the village.

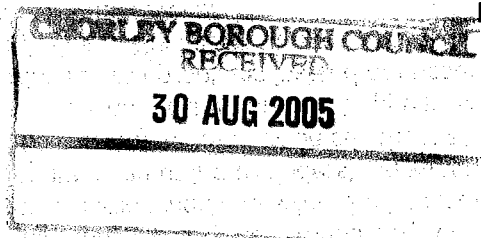
Thank you for noting my objection to licensing hours going beyond 12.00 a.m.

Yours sincerely

Mark Draper

Mr H Bee  
Licensing Manager  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
PR7 1AL

Mr S Harris  
337 The Green  
Ecclestone  
Chorley  
Lancashire  
PR7 5TJ



24 August 2005

Dear Mr H Bee

**Re: The Windmill Public House, Ecclestone**

I would like to object to the application at the above-mentioned public house for a proposed extension in their trading hours. I understand that the Windmill has applied for a licence allowing them to be open from 9am to 2am the following morning.

I live 8 houses away from The Windmill public house and am well aware of the impact their current opening hours generate. Any extension to these would be detrimental to both to atmosphere of the village and to quality of life of its residents. Ecclestone is a small rural village with a strong sense of community. This sense of community has drawn a large number of families into the village attracted by a clean, safe and quiet environment to live in. The very elements that currently give Ecclestone its appeal are now in threat from a public house that already attracts a noisy and intimidating crowd every evening of the week.

**Opening Hours**

Current opening hours do nothing to discourage the 49% (of 18-24 year olds) from binge drinking. Extending the number of hours alcohol is available can only lead to increased levels of alcohol consumption with drinkers waiting to start drinking later but being able to drink for longer. With current "last orders" being called at 11pm it is still a regular occurrence for residents to be subject to the actions of drinkers seen leaving the public house well into the early hours even 2am on some occasions. If local police are unable to enforce current trading laws due to lack of staff, I feel the proposed trading hours will be particularly problematic to enforce. Accountability and responsibility has to lie with someone as the alcohol consumer clearly feels they are free to act as they want outside of the law with no repercussions. Whether responsibility is apportioned to the Police whose numbers appear to drop by the day, or the Councils who have approved the applications to resolve problems caused for residents, it appears that the community that are subjected to fall out from drunk and disorderly people are the last people to be considered when assessing the impact of these unnecessary proposals. Are we in the minority when trying to understand why anyone should feel the need to start drinking alcohol at 9am in the morning or be still there at 2am the following morning. Do these hours and their associated disturbance not appear excessive and invasive? All this will achieve is localising drink related problems instead of encouraging excessive drinkers out of villages and into towns/cities to the better situated and appropriately staffed bars and clubs away from residential areas.

There is clear evidence that levels of drinking and drink related crime are steadily increasing with 44% of incidents of "binge drinking" coming from the 18 - 24 age band. Of these, 63% admitted to having been charged with criminal and/or disorderly behaviour (Home Office Findings from the 2003 Offending, Crime and Justice Survey; alcohol-related crime and disorder).

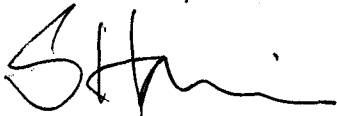
I accept that a person's choice regarding how they choose to socialise is theirs to make, but does that mean that this should be at the cost of another person's privacy, safety and/or expense? I personally feel existing trading hours are more than sufficient and in line with opening hours of other social activities. Why should drinking be the exception? I am more than willing to entertain the idea of a compromise with, if necessary, opening hours being extended until 11.30 or 12 midnight. I would welcome some form of compromise or sign of accountability from the public house in question. It is currently a regular experience to find broken bottles and glasses evident on the pavement immediately outside The Windmill public house. Could it not be a condition of any extension that the public house is accountable for the area surrounding the premises and ensuring any broken glass or discarded glasses or bottles are quickly removed to avoid any potential hazard to local residents. Bars and Clubs in many towns and cities employ door-staff who work closely with local Police to ensure customers behave in an appropriate manner both in the venues and afterwards when leaving. I feel that this compromise would benefit both residents and landlords alike ensuring venues are safe for customers with existing after hours fights being kept to a minimum and diffused quickly.

Residents have been made aware of the proposed opening hours, not by The Windmill's landlord or the Blue Notices that they have failed to display, but by information provided by Chorley Borough Council. This approach seems devious and underhand and does not instil any confidence in The Windmill. If they are not adhering to requirements to consult on their proposal, what confidence should residents have that they will adhere to the hours of any potential approval? Their demeanour appears sly and does not seem supportive of the views of residents or community as a whole.

I hope that you will consider the points and concerns I have raised in objection to the proposed change in opening hours. The community is extremely supportive of local businesses and encourages their success but it does not support the underhand tactics of a venue that already impacts negatively on the community and has now applied to do this over a greater number of hours. Businesses should acknowledge residents support and try to put something back into the community that ensures their existence/viability. This venue currently offers no compromise or recognition of the community's support and therefore does not get my support in their application. This is a situation of give and take but I only see The Windmill taking from the community of Eccleston and giving nothing back, not even respect for it's residents.

I would appreciate being kept informed of any developments regarding this application and am happy to clarify any queries you may have regarding my concerns.

Yours sincerely



Mr Steven Harris

# Drunken teens: Big rise in arrests

AN increase in the number of teenage drinkers dealt a new blow to Labour's plans for round-the-clock pub opening yesterday.

Official figures revealed that 31,343 under-18s were prosecuted for drunk and disorderly behaviour in 2003 compared to 30,739 in 2002, an increase of two per cent.

There were also big variations between counties. In Surrey the number of arrests for underage drinking in 2003 topped 439, compared to 266 in 1997, while in Dorset 520 teenagers were prosecuted in 2003 against 274 in 1997.

The statistics, which come ahead of new laws which will allow premises to

By **Katy Taylor-Richards**

serve alcohol through the night, prompted warnings of a further likely deterioration in behaviour in Britain's town centres.

Opposition MPs warned that Labour plans for 24-hour drinking were 'madness' and were bound to cause more bingeing and alcohol-related violence.

Tory Shadow Culture Secretary Theresa May said the figures were a real worry, especially in the context of growing public concern about 'yob culture'.

She added: 'This bad news, buried by the Labour Government during the

summer holidays, will be of serious concern not only to parents, but to local residents on the receiving end of New Labour's yob culture.'

At a time when more young people are abusing alcohol, it would be madness to weaken licensing laws even further and permit an explosion in late-night drinking in high streets across the country.

Liberal Democrat youth spokesperson Anne Marie Fisher said the figures confirmed that underage drinking was a significant problem.

She said: 'While the majority of young people behave responsibly, the fact that more than 31,000 under-18s were prose-

cuted for being drunk and disorderly will be a major worry for parents everywhere. Binge drinking can cause significant health problems for young people and it's now clear it's a major social problem in our communities.'

A spokesman for the Department of Culture, Media and Sport said: 'The Act will give greater protection to children by removing outdated anomalies, for example, the current legal age of 16 for drinking in clubs and bars, or 18 for pubs and clubs, away from the bar.'

The spokesman added: 'The Act will not repeal alcohol-related offences, as it is part of our intention under Government to change people's attitudes to drinking.'



# How drunken yobbery has soared under Blair

By James Slack  
Home Affairs Correspondent

THE number of under-18s prosecuted for being drunk and disorderly has soared by 25 per cent under Tony Blair, it emerged yesterday.

Police are now charging almost 30,000 a year with being out of control on alcohol.

Despite this, just 23 youths each year are being prosecuted for buying or trying to buy drink.

The shocking statistics were quietly slipped into the House of Commons library while MPs are away on their long summer break.

Last night, the Government - under pressure to shelve 24-hour drinking plans - was accused of trying to bury the figures.

Theresa May, shadow secretary of state for culture, media and sport, said: 'Labour's relaxation of licensing controls has fuelled violence and anti-social behaviour on our streets.'

'Thirty thousand teenagers a year are now facing the shame of criminal convictions for being drunk and disorderly on our streets, despite legally not being allowed to buy alcohol.'

'At a time when more young people are abusing alcohol, it would be madness to weaken licensing laws further and permit an explosion in late-night drinking in high streets across the country.'

The figures show that in 1996 - the first year Mr Blair was first

## MP's 'hypocrisy' over pub's late licence

By James Chapman

A LABOUR MP was accused of hypocrisy last night after voting for round-the-clock drinking - then objecting when his local tried to open for an extra hour.

Dr Hywel Francis complained to Westminster Council when the Morpeth Arms, a pub near his London flat, applied to open until midnight seven days a week.

The MP for Aberavon, South Wales, said he lived ten yards from the Pimlico pub and voiced concern at the proposal, which would also have allowed music and dancing till 11.30pm.

'This is overwhelmingly a quiet residential area and a licence of this kind would destroy the peaceful character of the locality,' he said.

'I urge that a proper investigation of the impact on local resi-

for which figures are available, it had risen by 25 per cent to 29,643.

Eight police forces saw the number of cases more than double, with Cambridgeshire topping the table with a 244 per cent increase.

The highest number of prosecutions was in Northumbria (3,144),

followed by London (2,536), West

Yorkshire (2,241), Lancashire

(2,000), Devon (1,943),

Northumbria (1,844),

North Yorkshire (1,800),

Northamptonshire (1,743),

West Midlands (1,687),

West Yorkshire (1,630),

East of England (1,573),

East Midlands (1,516),

East of England (1,459),

East Midlands (1,402),

East of England (1,345),

East Midlands (1,288),

East of England (1,231),

East Midlands (1,174),

East of England (1,117),

East Midlands (1,060),

East of England (1,003),

East Midlands (946),

East of England (889),

East Midlands (832),

East of England (775),

East Midlands (718),

East of England (661),

East Midlands (604),

East of England (547),

East Midlands (490),

East of England (433),

East Midlands (376),

East of England (319),

East Midlands (262),

East of England (205),

East Midlands (148),

East of England (91),

East Midlands (34).



Too close for comfort: Hywel Francis, inset, helped block the pub's plans

dents be undertaken. The application attracted 56 complaints, and has now been turned down.

Tory home affairs spokesman David Davis, himself a regular at the pub, accused Dr Francis of breathtaking double standards.

'This is a typical "do as I say, not as I do" approach,' he said.

'He is prepared to visit all-night misery and mayhem on our

towns and cities in the form of 24-hour drinking, but objects to even an hour's extension on his own doorstep.'

But Dr Francis, 59, denied being a hypocrite. 'I don't think there's any need to use language like that,' he said.

'I supported the legislation because there are sufficient safeguards in there to ensure

local people can have their say through local authorities. That's what I have done.'

'I'm not against varying the hours where it's appropriate, in places like Soho or other places like that where entertainment predominates.'

'But I believe it's not appropriate here. It's a very quiet area.'

Comment - Page 16

alcohol, which will only make the problem worse.

Experts warn that excessive drinking by youngsters is storing up major problems for the future.

The risk of cancer, heart attacks and mental illness can be raised by heavy drinking in teenage years.

The Home Office said the Violent Crime Bill, currently going through Parliament, includes

measures to reduce alcohol-fuelled disorder and violence.

'These include new powers for police and councils to tackle the problem, such as a new civil order which will allow for the exclusion from the area concerned of individuals aged 16 or over who are

responsible for alcohol-related disorder, a spokesman said.

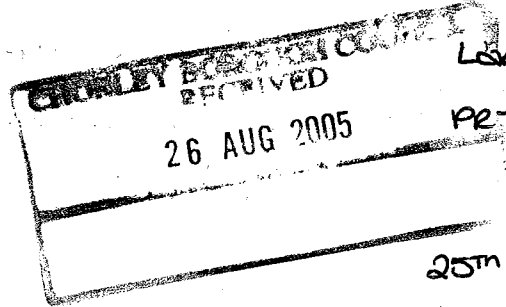
The Home Office said the Violent Crime Bill, currently going through Parliament, includes

ECCLESTON

CHORLEY

Lancs

P27 STP

25<sup>th</sup> AUGUST 2005.

Dear Mr. Bee:

I am writing to you to object to the application made by the Windmill Public House in Eccleston to extend its licensing hours from 9am-2am.

I live a stones throw away from the pub as you go back into the village, unfortunately this means most of the drinkers walk past my house to get home.

Summer nights in particular are worse as the drinkers take their time to get home. Over the years drinkers leaving the pub have caused us hundreds of pounds worth of damage to our cars, people urinate down our ginnel, leave glasses and

I would actually like to request the Council seriously considers placing CCTV at this section of The Green. This will help protect the shops, properties and fixtures such as the phone box and all the vehicles in this area. The CCTV will also catch all people going in to the village from the pubs, if crimes are committed further into the village the Police will see everyone heading that way.

I feel that a more reasonable time to trade to would be 12<sup>am</sup>~~pm~~, this would mean we still get noise until 1<sup>am</sup>~~pm~~-2<sup>am</sup>~~pm~~ but that, although not ideal, is more reasonable.

Thank you for taking the time to read my objection.

Yours sincerely

~~Chris Lawton~~

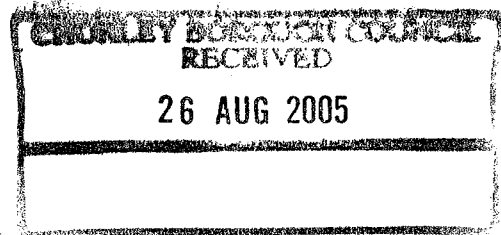
CHRIS LAWTON.

MR. G. ROCKINGTON

Mr. P H Read  
1 Kirstin Court  
The Green  
Eccleston  
Chorley  
PR7 5TP

Tel: 07708 132404

24/8/05



Dear Mr. Bee,

Please can I start this letter by saying I live directly opposite THE WINDMILL PUBLIC HOUSE on The Green in Eccleston Chorley, I have lived at my present address since November 1999, I have observed over the years the decline of the Windmill from a Landlord who I understand left the pub in around 2000, I believe the landlord at around the time of 99/2000 was striving to improve the whole look and feel of the pub, E.g. an extension to the car park side of the pub I believe a big screen TV room, having the whole of the exterior of the pub painted and lovely flowered hanging baskets which he watered on a daily basis, I feel he was striving to bring the Windmill up to the very high standard of other pubs in Eccleston and surrounding area's, also to a better standard of clientele.

Since the previous landlord left the pub in around 2000, his wife I believe then took over as licensee and the pub has taken a marked downward turn, the pub has become very run down in appearance both externally and internally the outside appearance of the pub is scruffy and looks to have very minimal maintenance, many of the front windows have been replaced after being smashed in the numerous late night brawls which spill out on to the main road, sometimes halting traffic and have been replaced minus the lead featured finish, In my mind she will not add the lead finish to the windows because of the cost incurred and the frequency to which these windows are being smashed, There is a side window that has been broken for at least a year and is boarded up with an old workman's sign adding to ambience of the pub.

This letter is sent to you in relation to the new licensing law coming in to effect in November this year, I believe the windmill has applied for an extension to open from 9 am till 2 am, I was under the impression or so I thought the 2 am license was already in effect on the weekends because this is the time, though it be behind drawn curtains, the patrons leave from the rear of the pub, So I feel 2 am license to the Windmill would be an all night drinking license going of past form, do not forget I live directly opposite the pub.

The standard of cliental has also declined significantly in the last couple of years the older more sensible drinkers and weekend motor bikers no longer frequent the pub, from my observations the age group who now frequent the Windmill are from 16 years of age and upwards mostly teens and twenty something's the drinking is heavy at the weekends usually combined with loud music and people on mobile phones at the front of the pub shouting at top note to other drinkers and taxi cabs, making a lovely door banging, people shouting, music blaring, a really nice place to live over the road from. The landlady who is obviously aware that families with young children and infants live directly opposite and to the side of her pub make's no effort to control the noise and rowdiness.

I cannot understand why the Windmill has applied for such long licensing hours, not forgetting the pub's location in a quiet village position within a residential area, I can only put it down to monetary greed on the part of the landlady, to make as much money as possible in the Eccleston area by attracting all the late night drinkers from Eccleston and surrounding area's, These area's which do not have a Windmill type pub with very late opening hours in a residential area, I have no problem with pub's in the town centre of Chorley and Leyland for Instance, for people will travel in to the town center for a late night drink not to a small pub in the middle of a residential village which I believe is completely anti social for people living in the close vanship.

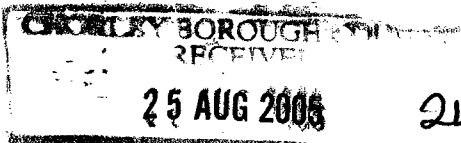
Violence and drunkenness are a regular weekly event at the Windmill, only 4 weeks ago on a Saturday evening a man drinking at the Windmill had a beer glass smashed in his face, at the front entrance of the Windmill pub causing severe facial injury and spraying the pavement with blood, An ambulance and two police vehicle attended the scene, the whole of the pub emptied to the front of the pub to argue and shout, All this at 9:45 pm, My next door neighbour's 8 yr old son witnessed the whole event including the glassing from his upper bunk bed after being awoken by the noise, and has suffered nightmares since the event. I don't want my 1yr old daughter to grow up witnessing these drunken types of events every week. Just to add the type of incidents listed above never occur in the Brown Cow (opposite the Windmill) or any of the other surrounding pubs.

I do not think the license that the Windmill is applying for should be granted, because of its location opposite residential dwellings, just to add anybody wanting a late night drink locally can quickly pop up to the Park night club Charnock only 2 miles from the Windmill and no problems of a residential nature.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'P. A. ...', written in a cursive style.

Ps. I hope this letter will be confidential and not released to the landlady of the Windmill I live over the road and do not wish any reprisals.



Eccleston

Chorley

PR7 5TJ

Dear Mr Bee

I write to object in the strongest terms to the extension of licensing hours from 9am - 2am of the 'Windmill' Pub in Eccleston.

I have lived within 50 yards of the Windmill for twenty years and have tolerated the regular noise and disruption at weekends and on sunny days and when my football team wins anything! on the principle that 'they were here first'.

However this major change in hours would prove, I am convinced, an even greater disruption and provide even more opportunity for the drug dealers who use the pub as a base to extend their hours of business.

I regularly have to remove bottles and glasses from my garden and clear vomit from the pavement. I cannot imagine living here (but would I be able to sell my house?) should this extension be granted.

I see no need for anyone to drink before lunchtime. 12-12 is surely enough? and I fear for the quality of life for the people of this area of Eccleston. Should this application succeed.

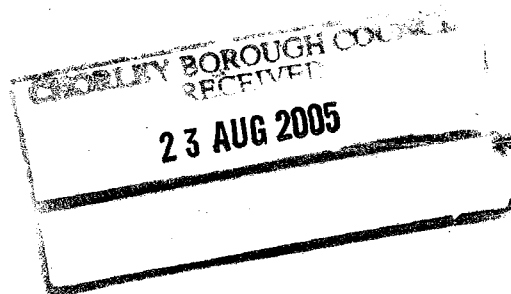
Yours Sincerely

Karen Winstanley (Mrs)

20<sup>th</sup> August 2005

Mr H Bee  
Licensing Manager  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
PR7 1AL

318 The Green  
Eccleston  
Lancashire  
PR7 5TP



Dear Mr Bee,

**Re: Extension in trading hours for the Windmill, The Green, Eccleston**

I am writing to you to voice my concern regarding the recent news that the above pub has applied for an extension to its trading hours under the new licensing legislation to come into force at the end of November 2005. I have been informed that the pub has requested an extension in trading hours from 9am until 2am the following day.

It is my understanding that as a neighbour to the pub (I live opposite) I am able to voice an objection to this request in the hope the council will consider my reasons and take this into account when making any decision regarding a change in trading hours.

I would therefore like to categorically state that I believe giving a further 5 trading hours a day to The Windmill would be a mistake. This is for several reasons:

1. The Windmill is situated in the **quiet** rural village of Eccleston. Eccleston is by its very nature a warm welcoming village. It's charm depends on the fact that it is quiet village and, whilst the Windmill is known for its lively atmosphere, there have been, on numerous occasions, cause for complaint regarding the noise both from the music within the pub and people leaving the premises.

All this has happened during current legal trading hours of 11 am – 11 pm so we can only imagine how much worse it may get if trading hours are allowed to increase. The main concern is that violence will increase, as it has done on many a Bank Holiday weekend when extensions to licenses have been granted to the two local pubs. Only recently the police were called to an incident at the Windmill where a customer was seriously injured and lay unconscious outside the pub.

If the Windmill were therefore to be granted such an extension what measures would they put in place to stop this happening in the future? In the local nightclub (Park Hall in Charnock Richard) they have doormen that are on hand if trouble breaks out. Are the Windmill planning to do the same?

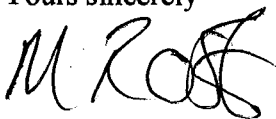
2. As far as I can see there is no need for the pub to open for such long hours. Eccleston is situated approx 2 miles from a local nightclub that is already open to the very early hours of the morning. I don't believe there is a further need to provide a similar service within this country village.
3. The Windmill has never hosted entertainment or private functions in the past eight years that I have lived in Eccleston. If the pub was planning extra entertainment and therefore needed longer hours to attract more trade, the need for such an extension would be more understandable. However under current circumstances this extension is simply a means to enable existing customers to drink more (and more and more).
4. Currently the pub plays loud music and allows customers to freely open the window that opens out onto the street. This is not regulated or shut once the pub comes to closing hours. We can only assume if the pub continues to open until a later hour that this will continue, resulting in most residents only able to get to bed after 3am, when most customers will eventually leave the premises.
5. Eccleston is also a very pretty village. Most villagers take pride in their homes and look after their appearance. Unfortunately the Windmill looks dishevelled and dirty. Bottles and glasses are often left on the car park and outside the pub door, or worse, even thrown in my hedge. Broken window panes are repaired with cheap replacements (currently one has been replaced with plain glass in a leaded window and has been the same for the past two years). I believe this is because many Windmill customers drink to excess and this will only be exacerbated if an extension such as this is given to the trading hours.

Although I feel I have many reasons to object I do not want the Windmill's business to suffer in light of the new legislation and be the only pub in the area not to receive an extension. I feel it much more reasonable that the pub be granted a similar extension to that requested by The Brown Cow on the same stretch of road, ie until 12am on Friday and Saturday evenings and 11pm on Sunday evenings.

Failing that I would request the landlord to prove that reasonable measures will be taken to control noise from both within the pub and from those leaving the premises. At times I can hear the noise from the pub over my television and through my double glazing and have often had to phone the pub to ask them to turn the music down, but it simply raises in volume again a few moments later.

I trust that you will take all of my objections into account and I look forward to hearing from you soon.

Yours sincerely



Marianne Rose



22 August 2005

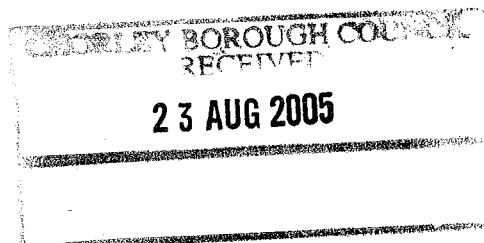
Mr H Bee  
Licensing Manager  
Chorley Borough Council  
Civic Offices  
Union Street  
Chorley  
PR7 1AL

Dear Sir

I write with respect to the proposed extension of the licensing hours for the Windmill Pub in Eccleston as I have been informed that the pub wishes to open from 9am till 2am.

I do not believe this is necessary in a village the size of Eccleston and there is already a significant amount of noise at closing time, especially throughout the summer. An extension to such a late time could also attract people from other villages if pubs in their own locality had not requested or were not granted an extension of their own. The Brown Cow opposite the Windmill has requested an extension until 12am on Fridays and Saturdays and until 11pm on Sundays, which seems far more sensible and would surely be quite adequate for both establishments.

Resident  
The Green  
Eccleston



Licencing manager  
Chorley borough council

D.Gallagher  
312 The Green  
Eccleston, Chorley  
Lancs. PR7 5TP

Dear sir

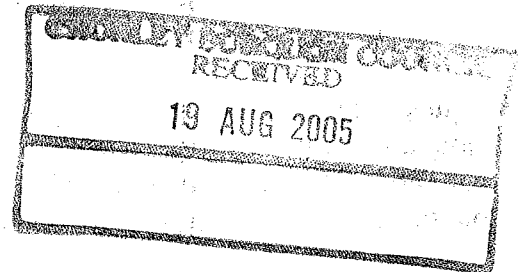
I would like to take this opportunity to voice my objection to the new licencing hours as applied for by the Windmill in Eccleston.

I live very close to the windmill and am frequently removing litter, bottles glasses etc, from my garden and am disturbed by loud music and people leaving the premises late at night. I accept that living near a pub I will have to deal with such disruption, but having an extension until 2am is not acceptable in such a small village and residential area.

This proposed extension will only result in more noise, litter, drunkenness and disruption to the neighbours, many of whom are children or elderly.

The nearby Brown cow has much more reasonably requested an extension until 12 at weekends, and displayed this fact on notices in the pub. The Windmill has has not displayed its intention of opening until 2am as I am sure they know people will not be happy !

Yours D.Gallagher



# Lancashire Constabulary

Licensing Unit, Police Station, St Thomas's Road, Chorley, PR7 1DR

Tel: 01257 246215

Fax: 01257 246217

e-mail: southern-licensing@lancashire.pnn.police.uk

2nd August 2005

Licensing Officer  
Chorley Borough Council  
Town Hall  
Market Street  
Chorley  
PR7 1DP

Dear Sir

**RE: PREMISES LICENCE REPLY:- LICENSING ACT 2003 - REF Variation.**

Premises WINDMILL, 311, THE GREEN, ECCLESTON

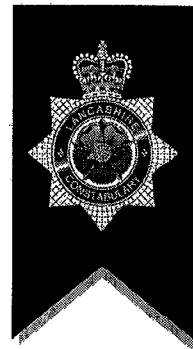
There are the following police representations to be made in respect of this application:-

1. The Police make representations to point F on the application form(recorded music), it is felt that the latest time for any amplified entertainment should be midnight with the exemption being Christmas Eve/Boxing Day and New Years Eve where the entertainment could continue until 0030.
2. There will be no objection to the recorded music being as 'background only' after midnight.
3. No objections re alcohol.
4. If the above points are agreed there shall be no further objections.

Yours faithfully

Police Sergeant 1506

(Licensing)





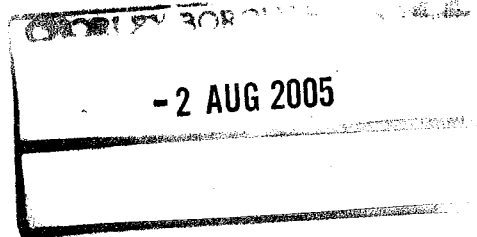
Direct Dial No : 01257 236908  
Email : [cjharris@birchallblackburn.co.uk](mailto:cjharris@birchallblackburn.co.uk)  
Doc Ref : 1879013120

Our Ref : cjh/LXM/87033-1  
Your Ref :  
Date : 1<sup>st</sup> August 2005

Licensing Unit  
Chorley Borough Council  
Town Hall  
Chorley  
Lancashire  
PR7 1DP

24 St. Thomas's Road  
Chorley  
Lancs PR7 1HY  
Tel 01257 279011  
Fax 01257 261890  
DX 18406 Chorley  
E-mail:

[info@birchallblackburn.co.uk](mailto:info@birchallblackburn.co.uk)  
[www.birchallblackburn.co.uk](http://www.birchallblackburn.co.uk)



Dear Sirs

**Re: The Windmill, 311 The Green, Eccleston, Chorley, PR7 5TJ**

We act on behalf of The Windmill together with Della Ross the existing Licence-holder for the above premises.

We enclose the application for a Personal Licence together with the cheque in the sum of £37.00 two photographs of our client, the Disclosure and Declaration Form and the existing Licence.

We also enclose the application for the existing Licence to be converted to a Premises Licence, the cheque in your favour, the consents by the existing licence-holder and by the person who is to be the Premises Supervisor (namely Della Ross) and the plan of the premises.

We confirm that we have served the Police with notice of both applications and we have also served notice of the application for the Premises Licence on all other appropriate responsible Authorities.

We look forward to hearing from you as soon as soon as possible.

Yours faithfully

**Birchall Blackburn**

Encs

**PARTNERS**

- W DENISON ROBBINS
- JOHN C DIDSBURY
- IVAN JONES  
(Licensed Insolvency Practitioner)
- MICHAEL FOXFORD
- MOIRA K BOYCE
- CATHERINE L MACCRACKEN
- SUSAN V LIVER
- CHRISTINE HARRIS  
(Licensed Insolvency Practitioner)
- JAMIE PATTON

**PRACTICE AND ADMINISTRATION  
MANAGER**

ANDREW RATRAY

OFFICES IN MANCHESTER  
AND LANCASHIRE

**Community  
Legal Service**



**Specialist Help Point**

Justices' Licence  
Intoxicating Liquor

Licence No.66

**COUNTY OF LANCASHIRE  
PETTY SESSIONAL DIVISION OF CHORLEY**

**LICENSING ACT 1964**

At the Licensing Session held at the Court House, St Thomas's Road, Chorley, on the 6th day of December 2000 for the Division of Chorley in the County of Lancashire.

The Licensing Justices for the said Licensing district hereby grant  
To Della Ross  
Of The Windmill, 311 The Green, Eccleston

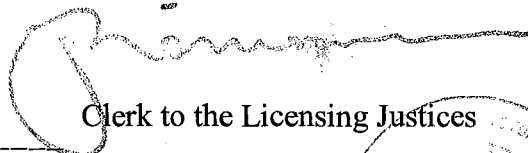
(hereinafter called the licensee this Justices' Licence authorising her to sell by retail at the premises known as The Windmill

intoxicating liquor of all descriptions for consumption (either ON or) OFF the premises.

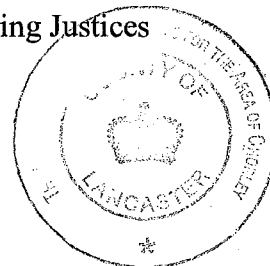
The owner(s) of the premises in respect of which this licence is granted  
Laurel Pub Co.  
Of P.O. Box 888, Dunstable, LU5 5XE

This licence (is granted subject to the conditions endorsed hereon and) shall be in force from the date hereof until the fourth day of April, year 2004.

Given under the official stamp of the Licensing Justices which is hereto affixed under their authority by me.

  
Clerk to the Licensing Justices

CONDITIONS subject to which the within-mentioned licence is granted:-



**PROTECTION ORDERS**

Before the Magistrates' Court for the Division above mentioned sitting at the Court House, St Thomas's Road, Chorley, on the \_\_\_\_\_ day of \_\_\_\_\_ year

The said Court, being satisfied that  
of  
and  
of

are/is a person(s) to whom the Licensing Justices could grant a transfer of the within written licence, hereby grant to him/her/them the same authority as that conferred by the said licence upon the holder(s) thereof until the conclusion of the second licensing session begun after the date hereof unless such licence shall be sooner transferred or removed.

Given under the official stamp of the Court, which is hereby verified by me

Clerk to the Justices

Before the Magistrates' Court for the Division above mentioned sitting at the Court House, St Thomas's Road, Chorley, on the \_\_\_\_\_ day of \_\_\_\_\_ year

The said Court, being satisfied that  
of  
and  
of

are/is a person(s) to whom the Licensing Justices could grant a transfer of the within written licence, hereby grant to him/her/them the same authority as that conferred by the said licence upon the holder(s) thereof until the conclusion of the second licensing session begun after the date hereof unless such licence shall be sooner transferred or removed.

Given under the official stamp of the Court, which is hereby verified by me

Clerk to the Justices

Before the Magistrates' Court for the Division above mentioned sitting at the Court House, St Thomas's Road, Chorley, on the \_\_\_\_\_ day of \_\_\_\_\_ year

The said Court, being satisfied that  
of  
and  
of

are/is a person(s) to whom the Licensing Justices could grant a transfer of the within written licence, hereby grant to him/her/them the same authority as that conferred by the said licence upon the holder(s) thereof until the conclusion of the second licensing session begun after the date hereof unless such licence shall be sooner transferred or removed.

Given under the official stamp of the Court, which is hereby verified by me

Clerk to the Justices

**TRANSFERS**

of the within-mentioned Justices' Licence

At the Licensing Session held at the Court House, St Thomas's Square, Chorley, on the day of \_\_\_\_\_ year \_\_\_\_\_, for the Division of Chorley, in the County of Lancashire.

The Licensing Justices for the said Division grant to  
of  
and  
of

(hereinafter called the licensee(s)) a justices' licence by way of transfer of the licence within contained in substitution for the last mentioned licensee(s), and the licence so granted shall have effect from this day until the fourth day of April, year \_\_\_\_\_.  
Given under the official stamp of the Licensing Justices, which is hereto affixed under their authority by me.

Clerk to the Licensing Justices

At the Licensing Session held at the Court House, St Thomas's Road, Chorley on the day of \_\_\_\_\_ year \_\_\_\_\_, for the Division of Chorley, in the County of Lancashire.

The Licensing Justices for the said Division grant to  
of  
and  
of

(hereinafter called the licensee(s)) a justices' licence by way of transfer of the licence within contained in substitution for the last mentioned licensee(s), and the licence so granted shall have effect from this day until the fourth day of April, year \_\_\_\_\_.  
Given under the official stamp of the Licensing Justices, which is hereto affixed under their authority by me.

Clerk to the Licensing Justices

At the Licensing Session held at the Court House, St Thomas's Road, Chorley on the day of \_\_\_\_\_ year \_\_\_\_\_, for the Division of Chorley, in the County of Lancashire.

The Licensing Justices for the said Division grant to  
of  
and  
of

(hereinafter called the licensee(s)) a justices' licence by way of transfer of the licence within contained in substitution for the last mentioned licensee(s), and the licence so granted shall have effect from this day until the fourth day of April, year \_\_\_\_\_.  
Given under the official stamp of the Licensing Justices, which is hereto affixed under their authority by me.

Clerk to the Licensing Justices

**RENEWALS**

of the within-mentioned Justices' Licence.

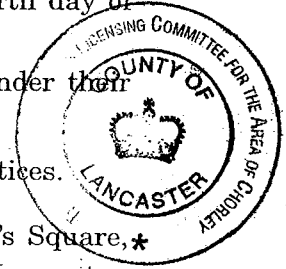
At the General Annual Licensing Meeting holden at the Court House, St. Thomas's Square,  
Chorley, on the 04/02/04 for the Division of Chorley, in the County of Lancaster.

The Licensing Justices for the said Division hereby grant a justices' licence by way of renewal of  
the licence within contained, and the licence so granted shall be in force until the fourth day of  
April, 2007

Given under the official stamp of the Licensing Justices, which is hereto affixed under their  
authority by me,

*[Handwritten Signature]*

Clerk to the Licensing Justices.



At the General Annual Licensing Meeting holden at the Court House, St. Thomas's Square,\*  
Chorley, on the for the Division of Chorley, in the County of Lancaster.

The Licensing Justices for the said Division hereby grant a justices' licence by way of renewal of  
the licence within contained, and the licence so granted shall be in force until the fourth day of  
April, 20

Given under the official stamp of the Licensing Justices, which is hereto affixed under their  
authority by me,

Clerk to the Licensing Justices.

At the General Annual Licensing Meeting holden at the Court House, St. Thomas's Square,  
Chorley, on the for the Division of Chorley, in the County of Lancaster.

The Licensing Justices for the said Division hereby grant a justices' licence by way of renewal of  
the licence within contained, and the licence so granted shall be in force until the fourth day of  
April, 20

Given under the official stamp of the Licensing Justices, which is hereto affixed under their  
authority by me,

Clerk to the Licensing Justices.

At the General Annual Licensing Meeting holden at the Court House, St. Thomas's Square,  
Chorley, on the for the Division of Chorley, in the County of Lancaster.

The Licensing Justices for the said Division hereby grant a justices' licence by way of renewal of  
the licence within contained, and the licence so granted shall be in force until the fourth day of  
April, 20

Given under the official stamp of the Licensing Justices, which is hereto affixed under their  
authority by me,

Clerk to the Licensing Justices.

At the General Annual Licensing Meeting holden at the Court House, St. Thomas's Square,  
Chorley, on the for the Division of Chorley, in the County of Lancaster.

The Licensing Justices for the said Division hereby grant a justices' licence by way of renewal of  
the licence within contained, and the licence so granted shall be in force until the fourth day of  
April, 20

Given under the official stamp of the Licensing Justices, which is hereto affixed under their  
authority by me,

Clerk to the Licensing Justices.

At the General Annual Licensing Meeting holden at the Court House, St. Thomas's Square,  
Chorley, on the for the Division of Chorley, in the County of Lancaster.

The Licensing Justices for the said Division hereby grant a justices' licence by way of renewal of  
the licence within contained, and the licence so granted shall be in force until the fourth day of  
April, 20

Given under the official stamp of the Licensing Justices, which is hereto affixed under their



**(Part A) Application for an existing licence to be converted to a premises licence under the Licencing Act 2003 and (Part B) application to vary the premises licence simultaneously**

(1)

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records

(2) I/We DELLA ROSS

apply to convert an existing licence to a premises licence under Schedule 8 to the Licencing Act 2003 for the premises described in Part A1 below

**Part A1 - Premises details**

Postal address of premises or, if none, Ordnance Survey map reference or description THE WINDMILL 311 THE GREEN ECCLESTON	
Post town CHORLEY	Post code PR7 5TJ

Telephone number at premises(if any) 01257 451376

Non-domestic rateable value of premises £18000

**Part A2 - Applicant details**

Please state the capacity in which you are applying to convert your existing licence

Please tick  yes

- a) an individual or individuals  please complete section (A)
- b) a person other than an individual
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association; or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

(1) Insert name and address of relevant licensing authority and its reference number (optional)

(2) Insert name(s) of applicant

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname  First names

I am 18 years old or over  Please tick  yes

Current postal address if different from premises address

Post town  Post code

Daytime contact telephone number

E-mail address (optional)

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr  Mrs  Miss  Ms  Other title   
(for example, Rev)

Surname  First names

I am 18 years old or over  Please tick  yes

Current postal address if different from premises address

Post town  Post code

Daytime contact telephone number

E-mail address (optional)

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

**Part A3 - Operating Schedule**

If 5,000 or more people attend the premises at any one time, please state the number

N/A

General description of the premises (please read guidance note 1)

Public House

What existing licensable activities are authorised by your existing licence(s)?

Provision of regulated entertainment

Please tick ✓ yes

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music  *ell.*
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

Provision of late night refreshment

Supply by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name DELLA ROSS

Address THE WINDMILL, 311 THE GREEN, ECCLESTON

Personal Licence number, if known

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

NONE SAVE THE PERMITTED HOURS UNDER  
S60 LICENSING ACT 1964

Describe the conditions subject to which your existing licence(s) have /have been granted:  
(please read guidance note 2)

a) General - all four licensing objectives (b, c, d, e)

NONE

b) The prevention of crime and disorder

NONE

c) Public safety

NONE

d) The prevention of public nuisance

NONE

e) The protection of children from harm

NONE

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed my existing licence(s) or a certified copy of each licence
- I have enclosed a plan of the premises
- I have sent copies of this application to the chief officer of police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor, if relevant
- I have enclosed the consent of the justices' licence holder to my application, if relevant
- I understand that if I do not comply with the above requirements my

insert amount **IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE [<sup>£5000</sup>], UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part A5 - Signatures** (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 5)  
If signing on behalf of the applicant please state in what capacity.

Signature D. Ross.

Date 28-7-07

Capacity LESSEE / LICENSEE OF PREMISES.

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 6)

If signing on behalf of the applicant please state in what capacity.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Capacity \_\_\_\_\_

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 7)	
Post town	Post code
Telephone number	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

**IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.**

**IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.**

**PART B**

**Application to vary a premises licence under the Licensing Act 2003**

(1) I/We DELLA ROSS

being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licencing Act 2003 apply to vary it under section [34][37] of the Licencing Act 2003 for the premises described in Part A above.

**Part B1 - Variation**

Please tick  yes

Do you want the proposed variation to have effect from the second appointed day?

If not do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

N/A

Please describe briefly the nature of the proposed variation (please read guidance note 8)

EXTENDED HOURS 9am to 1am daily

(1) Insert name(s) of applicant

Delete words in square brackets which do not apply

**Part B2 - Operating Schedule**

Please complete those parts of the Operating Schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or what varied times do you intend to conduct them?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

**Provision of regulated entertainment**

Please tick ✓ yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of entertainment facilities for:**

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

**Provision of late night refreshment** (if ticking yes, fill in box L)

**Sale by retail of alcohol** (if ticking yes, fill in box M)

Please complete Part B3 on this form



**A**

<b>Plays</b>			Will the performance of a play take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 8)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 10)
Mon			
			State any seasonal variations for performing plays (please read guidance note 11)
Tue			
Wed			
			Non-standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list (please read guidance note 12)
Thur			
Fri			
Sat			
Sun			

**B**

<b>Films</b>			Will the exhibition of films take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 8)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 10)
Mon			
			State any seasonal variations for the exhibition of films (please read guidance note 11)
Tue			
Wed			
			Non-standard timings. Where you intend to use the premises for the performance of films at different times from those listed in the column on the left, please list (please read guidance note 12)
Thur			
Fri			
Sat			
Sun			

**C**

<b>Indoor sporting events</b>			Please give further details (please read guidance note 10)
Standard days and timings (please read guidance note 8)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 11)
Wed			
Thur			Non-standard timings. Where you intend to use the premises for indoor sporting events at different times from those listed in the column on the left, please list (please read guidance note 12)
Fri			
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainment</b>			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)
Standard days and timings (please read guidance note 8)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 10)
Tue			
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times from those listed in the column on the left, please list (please read guidance note 12)
Sat			
Sun			

**E**

<b>Live music</b>			Will the performance of live music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)  Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Standard days and timings (please read guidance note 8)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 10)  UNAMPLIFIED, TWO PEOPLE PLAYING GUITARS ON AN AD HOC BASIS.
Mon	9pm	10pm	
Tue	7pm	10pm	State any seasonal variations for the performance of live music (please read guidance note 11)  NONE BUT PERFORMANCES OUTSIDE WILL ONLY BE IN GOOD WEATHER
Wed	7pm	10pm	
Thur	<del>7pm</del>	<del>10pm</del> night	Non-standard timings. Where you intend to use the premises for the performance of live music at different times from those listed in the column on the left, please list (please read guidance note 12)  NONE
Fri	5pm	12 mid- night	
Sat	12 noon	12 mid- night	
Sun	12 noon	12 mid- night	

**F**

<b>Recorded music</b>			Will the playing of recorded music take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)  Indoors <input checked="" type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Standard days and timings (please read guidance note 8)			
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 10)  JUKEBOX AND ADDITIONAL SPEAKERS
Mon	9am	1am	
Tue	9am	1am	State any seasonal variations for playing recorded music (please read guidance note 11)  NONE
Wed	9am	1am	
Thur	9am	1am	Non-standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times from those listed in the column on the left, please list (please read guidance note 12)  NONE.
Fri	9am	1am	
Sat	9am	1am	
Sun	9am	1am	

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 10)
Tue			
Wed			State any seasonal variations for the performance of dance (please read guidance note 11)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the performance of dance entertainment at different times from those listed in the column on the left, please list (please read guidance note 12)
Sat			
Sun			

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Will this entertainment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)
Mon			Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
			Please give further details here (please read guidance note 10)
Tue			
Wed			
			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)
Thur			
			Non-standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list (please read guidance note 12)
Fri			
Sat			
Sun			

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick <input checked="" type="checkbox"/> (please read guidance note 9)
Day	Start	Finish	Indoors <input type="checkbox"/> Outdoors <input type="checkbox"/> Both <input type="checkbox"/>
Mon			Please give further details here (please read guidance note 10)
Tue			
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)
Thur			
Fri			Non-standard timings. Where you intend to use the premises for the provision of late night refreshment at different times from those listed in the column on the left, please list (please read guidance note 12)
Sat			
Sun			

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			Will the sale of alcohol be for consumption - please tick box <input checked="" type="checkbox"/> (please read guidance note 13)
Day	Start	Finish	On the premises <input checked="" type="checkbox"/> Off the premises <input type="checkbox"/> Both <input checked="" type="checkbox"/>
Mon		1am	State any seasonal variations for the supply of alcohol (please read guidance note 11)
	9am		
Tue		1am	NONE SAVE NEW YEARS EVE
	9am		
Wed		1am	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times from those listed in the column on the left, please list (please read guidance note 12)
	9am		
Thur		1am	NEW YEARS EVE AS CURRENTLY DEREGULATED.
	9am		
Fri		1am	
Sat		1am	
	9am		
Sun		1am	

**Part B3 - Premises Supervisor**

Full name of proposed designated premises supervisor

MRS DELLA ROSS

Address of proposed designated premises supervisor

THE WINDMILL  
311 THE GREEN  
ECCLESTON

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable.

Please tick ✓ yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 37 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my

**Part 5 - Signatures** (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (please read guidance note 17)

If signing on behalf of the applicant please state in what capacity.

Signature D. Ross

Date 28-7-05

Capacity LESSEE / CURRENT LICENSEE

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18)

If signing on behalf of the applicant please state in what capacity.

Signature \_\_\_\_\_

Date \_\_\_\_\_

Capacity \_\_\_\_\_

Contact name (where not previously given) and postal address for correspondence associated with this application. (please read guidance note 19)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

**Notes for Guidance****PART A**

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

**PART B**

8. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick 'on the premises', if you wish people to be able to purchase alcohol to consume away from the premises please tick 'off the premises'. If you wish people to be able to do both please tick 'both'.
14. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed
17. The applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.



LICENSING ACT 2003  
 LICENSING ACT 2003 (Transitional provisions) Order 2005  
 Schedule 2

**Consent given by the person whom the applicant wishes to be the premises supervisor**

1 (1) DELLA ROSS

hereby consent to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to (2) DELLA ROSS

[In respect of the application to convert an existing justices' licence held by the applicant]  
 [where the holder of the licence has consented to the application being made by the applicant]  
 [delete as applicable]

for (3) The Windmill  
 311 The Green  
 Eccleton  
 Chorley PR7 5 TJ

if that application is successful.

Signed D. Ross.

Dated 28-7-05

(1) [insert first names and surname of prospective premises supervisor]  
 (2) [insert full name of applicant]  
 (3) [insert name and address of existing licensed premises]

**Consent given by the person who holds the existing licence**

I/We, <sup>(1)</sup> DELLA ROSS

being the holder of [an existing licence] [~~existing licences~~]<sup>(2)</sup> granted by Petty Sessional Division of Chorley on 6<sup>th</sup> December 2000 renewed on 4 February 2004 re The Windmill, 311 The Green, Eccleston

hereby consent[s] to the application by <sup>(3)</sup> DELLA ROSS

under paragraph 2 of Schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that Schedule to succeed the said existing licence[s] held by me in respect of <sup>(4)</sup>

The Windmill  
311 The Green  
Eccleston  
Chorley  
PR7 5TJ

Signed           D. Ross          

Dated           28-7-05          

- (1) [insert full name(s) of existing licence holder(s)]
- (2) [insert name of licence(s), the date of grant of the licence(s) and by whom the grant(s) was/were made]
- (3) [insert full name or names of applicant]
- (4) [insert name and address of premises]

LICENSING ACT 2003

21/9  
to all parties**Chorley**  
Borough Council**Notice of hearing of representations in respect of an application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously**

To -

Of

Objector

The Chorley Borough Council being the licensing authority, on the 2nd August 2005 received an application to convert and vary the Justices Licence from D Smith on behalf of The Windmill 311 The Green Ecclestone

The Council has received representations from the Police and eight representations from interested parties on the likely effect of the Grant to Vary the Premises Licence on the promotion of the Licensing Objectives.

The Council now GIVES YOU NOTICE that representations will be considered at a hearing to be held at Chorley Borough Council Town Hall

On 7th October 2005 at 2pm following which the Council will issue a Notice of Determination of the Application.

[The documents which accompany this notice are the relevant representations which have been made, as defined in Section 35(5) of the Act.] – To Follow

The particular points on which the Council considers that it will want clarification at the hearing from the applicant are as follows:

Licensing objectives:- The prevention of Public Nuisance, Public Safety  
The Prevention of Crime and Disorder Protection of Children from Harm

For the applicant to describe any additional steps that he/she intends to make in promoting the above licensing objectives

For the objector to describe the likely effect of the grant of the premises licence on promoting the above licensing objective

**You should complete the enclosed form and return it to:**

Mr H. Bee, The Licensing Manager, Licensing Department, Civic Buildings, Union Street, Chorley, Lancs. PR7 1AL.

**within five (5) working days before the day or the first day on which the hearing is to be held.**

Date 21/9/05

Signed

Howard Bee

Designation

L. MANAGER

the officer appointed for this purpose

## LICENSING ACT 2003

**Notes:****Right of attendance assistance and representation**

- 15 Subject to regulations 14(2) and 25, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

**Representations and supporting information**

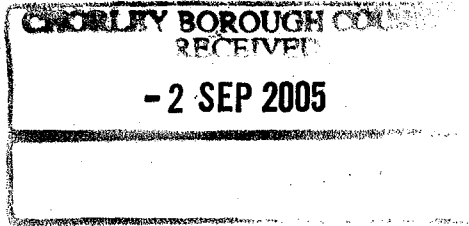
- 16 At the hearing a party shall be entitled to-
- (a) in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1)(d), give further information in support of their application, representations or notice (as applicable),
  - (b) if given permission by the authority, question any other party; and
  - (c) address the authority.

**Failure of parties to attend the hearing**

- 20 -
- (1) If a party has informed the authority that he does not intend to attend or be represented at a hearing, the hearing may proceed in his absence.
  - (2) If a party who has not so indicated fails to attend or be represented at a hearing the authority may -
    - (a) where it considers it to be necessary in the public interest, adjourn the hearing to a specified date, or
    - (b) hold the hearing in the party's absence
  - (3) Where the authority holds the hearing in the absence of a party, the authority shall consider at the hearing the application, representations or notice made by that party.
  - (4) Where the authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

**Procedure at hearing**

- 21 Subject to the provisions of the Regulations, the authority shall determine the procedure to be followed at the hearing.
- 22 At the beginning of the hearing, the authority shall explain to the parties the procedure which it proposes to follow at the hearing and shall consider any request made by a party under regulation 8(2) for permission for another person to appear at the hearing, such permission shall not be unreasonably withheld.
- 23 A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that cross-examination is required for it to consider the representations, application or notice as the case may require.
- 24 The authority must allow the parties an equal maximum period of time in which to exercise their rights provided for a regulation 16.
- 25 The authority may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may —
- (a) refuse to permit that person to return, or
  - (c) permit him to return only on such conditions as the authority may specify,
- but such a person may, before the end of the hearing, submit to the authority in writing any information which they would have been entitled to give orally had they not been required to leave.



10, Enfield Close  
 ECCLESTON  
 Nr Chorley  
 LANCASHIRE  
 31<sup>st</sup> August 2005

*Out of Office*

**Reference Extended Licensing Hours in the Windmill Public House**

Dear Sir/Madam,

We would like to register out opposition to the **WINDMILL PUBLIC HOUSE ECCLESTON**, changing its opening hours. The extra opening hours would be excessive for a small village pub in a quiet location. Living nearby we have already had some trouble with drunks, fighting, swearing and loud noises, and are worried that the extra hours of opening will only exacerbate the situation.. There is also a Primary School not far away.

Yours Faithfully

*Chell*

*Christopher Mitchell*

Christopher Mitchell

Christine Mitchell

